

JOINT SUBMISSION

In re Carrier IQ, Inc. Consumer Privacy Litigation, Case No. 3:12-md-2330-EMC

November 13, 2013

VIA ECF

Honorable Nathanael M. Cousins
United States District Court
San Francisco, CA 94102

Dear Judge Cousins:

Plaintiffs and Google Inc. (“Google”) respectfully submit this joint letter to advise the Court that, following further discussion and compromise, they have reached resolution of the matters addressed in their previous joint letter to the Court dated October 9, 2013. (Dkt. 199). Once Google performs as agreed, plaintiffs’ discovery efforts as to it will conclude for this phase of the case (*i.e.*, the phase of the case concerned with defendants’ motion to compel arbitration of plaintiffs’ claims). Plaintiffs and Google agree that this compromise is without prejudice to, and will not affect, plaintiffs’ rights to pursue discovery from Google in the later merits phases of this matter, should the defendants’ motion to compel arbitration be denied in whole or part.

As part of this compromise, Google has agreed to produce all HTC-related material that was segregated by Google, as referenced in the October 9, 2013 joint letter and at the September 25, 2013 hearing.¹ Google has estimated that restoration of the material and production to plaintiffs will take three to four weeks from today. The parties will advise the Court if that schedule changes. Plaintiffs and Google anticipate that Google may mark some or all of this material as Confidential under the protective order in place in this matter.

¹ The parties to that letter stated with respect to the HTC-related material:

Google also advised that the crash report and log data of which it spoke at the September 25, 2013 hearing must be restored in order to be accessed. According to Google, restoration will take approximately three weeks. It further advised that one component of the data, the so-called logcat logs, is stored separately from the corresponding crash reports. It represented that restoration will entail combining the two parts of what Google received during each reporting event, which will require some additional work.

This is the material, believed by Google to comprise approximately 197 GB of crash report and log data, that Google has agreed to produce to plaintiffs following restoration.

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Plaintiffs and Google thank the Court for its assistance with this matter.

Respectfully submitted,

Dated: November 13, 2013

By: /s/ Robert F. Lopez

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ATTESTATION

I, William J. Newsom, am the ECF User whose identification and password are being used to file this **JOINT STATUS LETTER**. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

Dated: November 13, 2013

/s/ William J. Newsom

Dated: November 15, 2013

